IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17938 of 2008
PRAVEEN KUMAR
Versus
STATE OF BIHAR
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2 13/5/2008 Heard counsel for the petitioner and counsel for the State.

Petitioner is an accused for the offence under section 384 and 386 of the Indian Penal Code, and the only allegation against the petitioner is that he works as a spy at the instance of main head of the gang, namely, Rajesh Pathak.

Counsel for the petitioner submits that as a matter of fact the petitioner is a tea vendor and he had innocently had gone to the place of the informant on being told that the petitioner will go and collect the money. Counsel for the petitioner is trying to justify the innocence of the petitioner by saying that there is no criminal antecedent against the petitioner.

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Considering the fact that even in two confessional statements of the co-accused it has not come beyond this that the petitioner was one of members of such gang and also considering the fact that the petitioner has absolutely clean antecedent, this Court is inclined to grant bail to the petitioner also taking into consideration that the petitioner has remained in custody since 31.7.2007.

Let the petitioner, namely, Praveen Kumar be released on bail on furnishing bail bond of Rs. 10,000/- ( Ten thousand ) with two sureties of the

like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 406 of 2007. It is made clear that one of the sureties must be either wife or mother of the petitioner.

( Mihir Kumar Jha, J.)

Abhay Kumar

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